

## UNITED STATES OF AMERICA

## NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

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AMTRAK WORKER FATALITY \*

BOWIE, MARYLAND \* Accident No.: RRD18FR006

APRIL 24, 2018 \*

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Interview of: KENNETH HANNON

Linthicum, Maryland

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## APPEARANCES:

RUBEN PAYAN, Investigator in Charge  
National Transportation Safety Board

MICHAEL HOEPF, Ph.D., Human Performance Investigator  
National Transportation Safety Board

JIM HURLEY, Signal and Train Control Inspector  
Federal Railroad Administration

KRISTIN LEESE, Director of System Safety - Engineering  
Amtrak

CARL FIELDS, Coordinator, Safety Task Force  
Brotherhood of Locomotive Engineers and Trainmen (BLET)

STEVE STEARN, Vice Chairman  
Brotherhood of Maintenance of Way Employees (BMWED)

TYRONE NELSON, Vice Chairman  
BMWED

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## 1 INTERVIEW OF KENNETH HANNON

2 BY MR. PAYAN:

3 Q. Mr. Hannon, I'd like to start by asking you if you could go  
4 back to Tuesday, the day of the accident and kind of walk us  
5 through your day, what time you got up, what time you went to work  
6 and provide as much detail as you can. I the kind of helps us  
7 fill in some of voids or questions we have. And if you have an  
8 estimated time or the actual time let us know as much as you can  
9 please.

10 A. It was a regular day. Got up about 5:15. Was out of the room  
11 by a quarter to 6:00. Ate breakfast. Boarded the bus had to have  
12 been about 6:15. Like I said it was a regular day. Got to the job  
13 site. Had my job briefing, had on-track briefing. Watchmen went  
14 out. They were placed. I was on -- I was assigned to the welding  
15 truck. And I was to relieve Mr. -- I was to relieve Luke and I  
16 was called -- I had -- I was called to watch somewhere else by Mr.  
17 Carol. So, I left the welding truck went to the bus to get my  
18 additional watchman's gear and I was told I had to walk 2,000 feet  
19 south to find the foreman to get placed.

20 So, as I'm walking it had to have been -- I can't tell you  
21 exactly where I was but I heard the train whistle. I mean I heard  
22 the watchman's warnings and next thing I know I heard everybody  
23 screaming and screaming, Oh, my God. Oh, my God. As I'm walking  
24 I thought I -- I don't know, something had landed on the opposite  
25 side of the track. So, I walked -- I seen everybody walking over

1 towards it and that's why I crossed over the tracks. That's when  
2 I saw what I saw.

3 Q. Okay. If we can back up a little bit I'd like to fill in a  
4 some more detail here if you can. You got to the job site and you  
5 said you had a job briefing and your on-track briefing.

6 A. Yes.

7 Q. Who held that?

8 A. I believe that was Chris Gonzalez.

9 Q. Okay. And then you said the watchmen went out. Who decided  
10 how many watchmen were required or was there any kind of  
11 discussion about that?

12 A. I believe based on the territory, the curve, the speed, the  
13 number of people you have out there and the nature of the job I  
14 guess that determines the number of watchmen you need.

15 Q. Okay. And you said the watchmen went out --

16 A. Yeah, they go out first before everyone else goes out.

17 Q. Okay. And did you go out with them at that time?

18 A. No. No. I wasn't assigned to watch at first.

19 Q. Okay. And did Mr. Luke go out with them?

20 A. Yeah. He went out first.

21 Q. Okay. And so, your assignment was to stay with the welding  
22 truck?

23 A. Stay with the welding truck. And they said they needed  
24 someone to relieve him. So, I said I'll relieve, I'll rotate with  
25 Luke.

1 Q. Okay. Let's back up a little bit first. So, when the assign  
2 the watchman lookout positions what was your exact instructions?

3 A. My exact instructions?

4 Q. Uh-huh.

5 A. I was assigned to the welding truck.

6 Q. And was the truck out there or was it --?

7 A. It was out there. It was out there on the track, sir.

8 Q. So, you were walking out to the truck after the watchman  
9 lookout went out?

10 A. After the watchman, first the watchmen go out. Then I  
11 boarded the truck, started it up and was sitting on the truck.

12 Q. Okay. And then where were you going to go with the truck?

13 A. I was just sitting on the truck as they were welding.  
14 (Indiscernible).

15 Q. Okay. So, you were on track 2?

16 A. Yes.

17 Q. Were you north of the truck, south of truck?

18 A. North of the truck.

19 Q. Well, the truck was on high railing?

20 A. He was on high rail, yes.

21 Q. Okay. And then the welders were going to work --

22 A. They were working behind me.

23 Q. At the rear of the truck?

24 A. Yes.

25 Q. And the truck was pointing north?

1 A. We were pointing south.  
2 Q. Towards Baltimore?  
3 A. Going south.  
4 Q. South?  
5 A. Yes.  
6 Q. Okay. So, were the welders out there yet when you?  
7 A. Yes.  
8 Q. So, you went out there with them?  
9 A. Yes.  
10 Q. Okay. And you were going to provide flagman duty for the  
11 welders?  
12 A. Yes.  
13 Q. Where did you position yourself, did you ever get out of the  
14 truck?  
15 A. No. I was called down to the truck.  
16 Q. By?  
17 A. By another foreman. They needed me to go to another  
18 position.  
19 Q. That was Mr. Carol?  
20 A. Yes.  
21 Q. And then so --  
22 A. I went there.  
23 Q. Where did you have that discussion with Mr. Carol?  
24 A. He called me up. He walked alongside of the truck. He was  
25 like I need you to -- I need you to watch with me. So, I need you



1 to get some watchman gear out of the bus and come with me. So, I  
2 exited the truck, crossed the track into the bus, got my watchman  
3 gear, proceeded to look for Mr. Carol.

4 Q. Okay. So, he came to you to the truck?

5 A. Yes.

6 Q. And then did he go with you to the bus?

7 A. No. I don't know where he went.

8 Q. Okay. So, he knew where you were going after that?

9 A. I just knew I had to find him. I didn't know exactly where.

10 Q. Okay. So, just so I get it straight. You went to the bus,  
11 got your equipment and then you went to look for Mr. Carol?

12 A. Yeah. I asked where he was. They said he was 2,000 feet  
13 south.

14 Q. Okay. And you were on the track number 3 or number 1 side  
15 for the bus?

16 A. The bus I believe was on track 1 side.

17 Q. On the track 1 side --

18 A. Yes.

19 Q. -- where all the watchmen were?

20 A. No, no, no. The buses were on the left-hand side. It was on  
21 the left-hand side.

22 Q. Left-hand side, okay.

23 A. Yeah.

24 Q. And then so when you were on the welding truck there was how  
25 many watchmen that you know of out there?

1 A. I know there was Luke he was behind, he was working with us.  
2 There was one on a platform. I believe there was another on in  
3 between us and at platform. I'm not sure if there was one in  
4 front of us and I'm not sure if there was one in front of us or  
5 not. I can't recall.

6 Q. Okay. So, help me understand here Mr. Luke's job. You said  
7 he was assigned to you?

8 A. He wasn't assigned to me, no.

9 Q. He was assigned to be a watchman?

10 A. He was assigned to be a watchman, yeah.

11 Q. So, was he the advance look out on the northside?

12 A. He was with the welding truck. He was assigned to watch the  
13 guys welding.

14 Q. So, after you were told to go to the bus he got assigned to  
15 the welding --

16 A. No. He was already -- he was already assigned to the welding  
17 truck before everything was --

18 Q. Before everything started --

19 A. Yes.

20 Q. -- the job started?

21 A. Yeah, he was assigned to the welding truck.

22 Q. So, both of you were assigned to the welding truck?

23 A. Yes.

24 Q. You were going to stay on the number 2 track with the welding  
25 crew?

1 A. Yes.

2 Q. Or welding gang?

3 A. Yes.

4 Q. And then he was going to be the -- on the way side?

5 A. Yes. He was watching, we were going to rotate. He was

6 staying up for an hour. I was going to come up for an hour. We

7 were going to go back and forth.

8 Q. I see. Okay. Okay. So, you weren't doing trackman duty or

9 watchman duty while you were on the truck.

10 A. No.

11 Q. You were just going to rotate terms with him?

12 A. Yes.

13 Q. Okay. So, was there anybody north as a watchman look out

14 that you know of?

15 A. I don't recall. I don't remember.

16 Q. Okay. So, you were the first one there?

17 A. Yeah, we were the first.

18 Q. The first watchmen looked at as far as you know?

19 A. As far as I know.

20 Q. Okay. So, when you got your equipment and you found Mr.

21 Carol where did you go?

22 A. I started walking -- I started walking south towards Mr.

23 Carol. I was told he was down range.

24 Q. Okay.

25 A. I would find him.

1 Q. And what were your instructions when you found him?

2 A. I was going -- I was actually going to be placed. He was  
3 going to place me.

4 Q. But you never got --

5 A. I never made it.

6 Q. Do you know where he was going to assign you?

7 A. I have no idea.

8 Q. No. Okay. Were there, while you were on the truck, on the  
9 to the bus and back, were there trains going by you that you  
10 recall? Did you hear the watchmen sound their horns for any  
11 trains?

12 A. Yeah, I heard the watchmen. I heard the watchmen only.

13 Q. Okay. So, there were trains out there and they were, the  
14 watchmen were --

15 A. Yes.

16 Q. Okay. All right. And as far as, have you worked would Mr.  
17 Luke before as a watchman?

18 A. Yeah. I worked with him in another gang. I worked with him  
19 in this gang here.

20 Q. And have you guys done watchmen lookout duties before  
21 together?

22 A. Yeah. Not to -- I don't know how many times but I'm sure we  
23 have.

24 Q. Okay. Have you seen Mr. Luke be a watchman lookout?

25 A. Yes.

- 1 Q. And was he good at providing train approach warning?
- 2 A. Yes. Yeah.
- 3 Q. Was he attentive, did he seem attentive?
- 4 A. Yes.
- 5 Q. And this day as far as you can tell did he seem normal?
- 6 A. He seemed normal.
- 7 Q. Nothing concerning him, nothing, he wasn't worried about
- 8 anything?
- 9 A. No.
- 10 Q. Okay. And did you stay at the hotel?
- 11 A. Yes.
- 12 Q. Did you stay there Sunday night?
- 13 A. I believe yes.
- 14 Q. You did? Did you happen to see Mr. Luke there Sunday night?
- 15 A. No.
- 16 Q. No.
- 17 A. I got there pretty late.
- 18 Q. Okay. Did you see him Monday morning when you went to work?
- 19 A. (Indiscernible).
- 20 Q. And how about Monday afternoon?
- 21 A. I seen him on a bus.
- 22 Q. On the bus going to --
- 23 A. Going to.
- 24 Q. Going back to the hotel or?
- 25 A. No. Going, when we were all going to --

1 Q. Monday morning?

2 A. Monday morning, yes, when we were going to the job site.

3 Q. Okay. Were you a watchman lookout on Monday?

4 A. Yes.

5 Q. And where did you work, which position or what job?

6 A. I was actually assigned to the welding truck.

7 Q. Okay. That day you did --

8 A. But I was, they told me they needed an extra watchman to pair  
9 up with him. So, I paired up with him. I was sitting on, just  
10 waiting for my time to rotate with him.

11 Q. So, you did that same thing you rotated with Mr. Luke or with  
12 somebody else?

13 A. Mr. Luke.

14 Q. Okay. And did you actually --

15 A. I never got around to rotating with him. I got called over  
16 to the --

17 Q. But on Monday, on Monday the day before the accident?

18 A. Oh, the day before. Oh. The day before. Monday.

19 Q. Let's go back a little. On Monday did you work as a watchman  
20 that day, do you remember?

21 A. Yeah. Yeah.

22 Q. You did. Do you remember what position you were in?

23 A. I have no idea.

24 Q. Do you remember if Mr. Luke was?

25 A. I don't recall.

1 Q. And Monday, do you remember what time you quit work?

2 A. Regular time about 3:30, 4:00 o'clock.

3 Q. Okay. And do you recall seeing Mr. Luke on the bus or in the  
4 van quitting time?

5 A. I guess he was there.

6 Q. You don't recall actually?

7 A. I don't recall.

8 Q. Did you have a conversation with him or --?

9 A. To say, how you doing.

10 Q. Okay. And then back at they hotel that evening or that  
11 afternoon, did you see Mr. Luke anytime between quitting time and  
12 the next morning?

13 A. (Non-verbal response.)

14 Q. No. Okay. So, all right.

15 MR. PAYAN: I'm going to go around the room and let other  
16 people ask some questions. FRA.

17 BY MR. HURLEY:

18 Q. Jim Hurley, FRA. Just a quick question. I was wondering if  
19 while you were on the truck did you notice how Mr. Luke was  
20 positioned when he was watching?

21 A. I didn't notice but we are trained to be up on the side.

22 Q. So, you didn't notice him over there at all when you were on  
23 the truck?

24 A. No.

25 MR. NELSON: Okay.

1 MR. PAYAN: Amtrak.

2 BY MS. LEESE:

3 Q. How you doing?

4 A. Fine.

5 Q. Just a couple of clarification questions. So, you were on --  
6 just to kind of orient yourself, the station Bowie state was south  
7 of all --

8 A. Yeah, Bowie state was behind us. Yes.

9 Q. And I think the watchmen were all on track 1.

10 A. Yes.

11 Q. So, I think the bus would have been on track 3 off the side  
12 of the truck?

13 A. On this side, yes.

14 Q. So, you were on the welding truck on two.

15 A. Uh-huh.

16 Q. Mr. Wilson came over asked you to watch.

17 A. Yes.

18 Q. So, you went to the bus which was on track 3.

19 A. Right.

20 Q. Got your equipment.

21 A. Right.

22 Q. And then start -- so, would you have been walking north to  
23 find Mr. Wilson or back towards the station?

24 A. I would have been walking -- not towards the station.

25 Q. The other way, okay. But do you recall like about how far



1 you got until you heard everything happening?

2 A. (Indiscernible).

3 Q. I mean were you still right there, like right as you got off  
4 the bus it happened or --

5 A. No, I was say maybe six, seven hundred feet away. I know  
6 where his body landed I was able to just walk across the tracks  
7 and right there.

8 Q. Okay. So, then once you -- so, the incident happened and you  
9 crossed over.

10 A. Yes. I didn't -- at first, I didn't know what happened.  
11 Everyone was, oh, my God, oh, my, God, walking over and -- I  
12 looked back, what happened. I saw everybody walking. Once I  
13 looked across the track I walked right up, right on him. He was  
14 right in weeds just lying there.

15 Q. Okay. So, once the happened did you at any point after that  
16 did you watch on the north end or did you ever actually watch that  
17 day?

18 A. I stayed out there. I didn't know what else to do. Just  
19 stayed out there.

20 Q. Sure. Sure. Do you recall there being a watchman north of  
21 were Luke was positioned?

22 A. That I can't recall. That I can't recall.

23 Q. Okay.

24 MS. LEESE: That's it for us. Thank you.

25 MR. PAYAN: Okay. MR. Stearn.

1 MR. STEARN: Thank you.

2 BY MR. STEARN:

3 Q. Steve Stearn, Maintenance of Way. Good evening Brother  
4 Hannon, Kenneth, Kenny, what do they call you?

5 A. Ken.

6 Q. You got a nickname out here?

7 A. No.

8 Q. Kenny is good?

9 A. Yeah.

10 Q. Steve is good. You're a welder or you're?

11 A. EWE Operator.

12 Q. And in gang what?

13 A. 242.

14 Q. So, you're EWE, engineer work equipment and 242 and that's  
15 like a rail gang?

16 A. Well, it's a welding gang.

17 Q. That's the welding gang then.

18 A. Yes.

19 Q. 222A is the rail gang.

20 A. I believe so. Yes.

21 Q. You're in the welding gang as an equipment operator, what  
22 piece of equipment are you assigned to?

23 A. The welding truck.

24 Q. The truck.

25 A. Yes.

1 Q. So, that's CDL?

2 A. CDL.

3 Q. But EWE comes into play for what the crane?

4 A. Yeah.

5 Q. So, you work with those welders every day?

6 A. Yeah. Almost every day.

7 Q. So, in that gang, that welding gang there are two of you

8 EWES?

9 A. Yes.

10 Q. You and Josh Curry?

11 A. Josh Curry, yes.

12 Q. And then there are three welders?

13 A. Yes.

14 Q. That is Andrew Walberg, Campbell --

15 A. Yes.

16 Q. -- and Mike Divadio.

17 A. Yes.

18 Q. They were all there that day?

19 A. Yes.

20 Q. How did you guys get out -- the truck was all ready from the

21 day before?

22 A. Yeah. It was already on the tracks.

23 Q. Already on number 2 track. So, how did you get out to the

24 truck?

25 A. (Indiscernible).

1 Q. You rode the bus out from the hotel, van?

2 A. Bus.

3 Q. You and the other EWE?

4 A. I believe -- well, I walked down. I walked from the parking  
5 lot to the bus. It wasn't too far. It was right by the station.  
6 It wasn't too far. I believe he, I believe the other one he took  
7 the van or the bus. I'm not sure.

8 Q. So, the plan was that Luke was going to be the watchman for  
9 the gang --

10 A. Right.

11 Q. -- assigned close to the work --

12 A. Right.

13 Q. -- there were other watchmen for the cutter, they were on one  
14 track.

15 A. Assigned various positions.

16 Q. Luke was going to follow you guys basically if you had to  
17 move up any.

18 A. Yeah, shadow.

19 Q. So, you're sitting in the truck.

20 A. Right.

21 Q. Waiting and Foreman Carol came up and said, what, we need  
22 another watchman?

23 A. He said, Kenny, I need you to come watch -- I need you to  
24 come watch with me down there, down west. He said go on the bus,  
25 grab a banner, you know, and hearings and let's go. I said all

1 right. So, I went to the bus, got the equipment. I couldn't find  
2 him. So, I started -- I asked where was he. They said he's down  
3 range. So, I said, okay, I started walking.

4 Q. So, down range and I think, you know, we need to bring some  
5 clarity to that. That was to the north. Let me think, Kenny, if  
6 I can help you out. Was there surfacing equipment parked where  
7 you could see it?

8 A. Yeah, it was a ways.

9 Q. But that was the general direction that you were talking  
10 about down range?

11 A. Yes.

12 Q. That's the direction that Foreman Carol was at?

13 A. Yes.

14 Q. Was he driving or on foot?

15 A. I have no idea. I know he was pretty far over.

16 Q. But you were supposed to hook up with Tiny Carol --

17 A. Hook up with him, yeah.

18 Q. -- he was going to tell you where he wanted to put you?

19 A. Right.

20 Q. And you never really made it.

21 A. Never met.

22 Q. So, from the time you got your gear --

23 A. Equipment and started --

24 Q. -- out of the bus --

25 A. Yeah.

1 Q. -- and started on foot --

2 A. Yeah.

3 Q. -- walking down the 3-track side, walking down number 2 out  
4 of service, what route did you take? Do you remember?

5 A. I was walking the same side as the bus.

6 Q. On the 3-track side.

7 A. The 3-track side, yeah. I had to cross the tracks in order to  
8 see him.

9 Q. And so, you got your gear out of the -- your watchman gear  
10 out of the bus and you're heading north --

11 A. Right.

12 Q. -- under Foreman Carol's instructions, did you know -- were  
13 there other watchmen to the north of Luke toward the surfacing  
14 equipment?

15 A. That I didn't notice. I didn't notice.

16 Q. You got your on-track briefing from Chris Gonzalez?

17 A. Yes.

18 Q. Foreman Gonzalez

19 A. Yes.

20 Q. The original plan was you and Luke were going to rotate out?

21 A. Yes.

22 Q. That's kind of normal stuff, isn't it?

23 A. Yeah, it's normal. It's normal procedure.

24 Q. Okay. So, up until the time of the incident you never really  
25 had a chance to be that watchman?

1 A. No.

2 Q. Was the, in the job briefing and the on-track was hotspot  
3 discussed, was any of that discussed?

4 A. I don't remember if it was. Chris is pretty thorough, so if  
5 there was a hotspot he'd bring it up. He's pretty thorough.

6 Q. How long had you been in this gang, Kenny?

7 A. Since February the 26th. I was force assigned.

8 Q. You were force assigned because you did the position and  
9 training?

10 A. Through training.

11 Q. Yeah. So, it was since that February point, you know, it's  
12 not unusual for you to be a watchman --

13 A. No, sir.

14 Q. -- at least in a relief capacity.

15 A. Exactly.

16 Q. Yeah. Were you out there when the watchmen were placed, the  
17 other watchman not Luke, but the other watchman, the undercutter  
18 watchman were you out there when they got positioned and placed?

19 A. You talking about the ones down further?

20 Q. To the south towards the platform.

21 A. The platform. I was out there, I was standing around waiting  
22 to get on the truck, yeah.

23 Q. Do you recall whether or not they performed a whistle test?

24 A. It's standard procedure. Most of the times, 95 percent of  
25 the time I'd say we do a whistle test. Most of the times we do.

1 Q. That particular day.

2 A. That particular day? I can't recall. Most times we do the  
3 whistle test.

4 Q. Prior to Tiny Carol, prior to Foreman Carol instructing you,  
5 he needed additional watchmen to the north, what kind of work was  
6 being done around the welding truck?

7 A. I think they were cutting, cutting rail. Exactly what they  
8 were doing? At that moment? I believe they were cutting. I'm  
9 not a hundred percent certain. I'm just going on what was behind  
10 us. I believe they were cutting rail.

11 Q. They typically work right behind the welding truck?

12 A. Yes.

13 Q. I don't want to put words in your mouth, but why would they  
14 be right behind that truck?

15 A. You have to pull out hoses, you have to pull out your own  
16 Butane, equipment. Their own saws, their hoses. It's easy just  
17 to work from the back, this way when putting stuff away you just  
18 rail it up.

19 Q. This group had an opportunity to look at that truck. It's  
20 nice.

21 A. Yes.

22 Q. Have you worked around other welding trucks?

23 A. No, this is the first one.

24 Q. So, I mean could you describe a little bit more about the  
25 truck, what kind of equipment, what's on the truck?



1 A. There's a crane. Exactly what the lifting capacity is I have  
2 no idea. I can't tell you at the moment. There's oxygen, gas.  
3 There's rail cutting saws. There's grinders.

4 Q. So, typical tools used in the welding.

5 A. Typical tools, yeah, exactly, exactly.

6 Q. And so, when we are cutting and grinding, is that, would you  
7 say is moderately noisy or --

8 A. Extremely noisy.

9 Q. Extremely noisy?

10 A. Yes.

11 Q. You guys wear hearing protection when working?

12 A. Yes.

13 Q. Always, everybody?

14 A. I do.

15 Q. Is that discussed in job briefings, hearing protection?

16 A. Yes. Yes.

17 Q. So, if they were cutting rail behind the welding truck at the  
18 time it was pretty noisy around the truck?

19 A. Yes.

20 Q. It's a big truck.

21 A. Huge.

22 Q. Bigger than like a dump truck, right?

23 A. Yeah, bigger than a dump truck.

24 Q. And it's got -- how about the cab part, nice inside?

25 A. Yeah.

1 Q. Crew cab?

2 A. Yes.

3 Q. Front and back seat?

4 A. Front and back seats, yeah.

5 Q. How many guys can you get in there?

6 A. You can get three in the front and you can get about three or

7 four guys in the back depends on the size.

8 Q. Wow. Working radio?

9 A. Yes.

10 Q. You guys use the radio?

11 A. Yes.

12 Q. To what pilot equipment, you know, move a foreman?

13 A. Pilot equipment.

14 Q. How about inner talk, chatter? Do you talk to each other on

15 a different channel, other equipment?

16 A. You can hear other equipment. There's very little chatter

17 like personal chatter, social chatter, very little.

18 Q. I mean just would Foreman Carol have been able to call the

19 welding truck on the radio and given you those same instructions

20 or probably not? What do you think about that?

21 A. Probably not. Probably not because I believe that's -- I

22 believe the radios are like -- start with the engineers and stuff.

23 I believe that's what that's for.

24 Q. Outside speaker?

25 A. Yes, (Indiscernible) speaker.

1 Q. When you're working behind the truck welding doing that type  
2 of work can you hear if the speaker is on?

3 A. Yes.

4 Q. You guys turn it on typically?

5 A. Typically, we do. That's all we do.

6 Q. What are you hearing over that outside speaker?

7 A. You're hearing trains coming. CTEC tell us a train is  
8 coming, things of that nature.

9 Q. Foul time?

10 A. Yes, pick up a lose foul.

11 Q. That day, Tuesday, because it may have been different than  
12 other days, but who would be getting foul time should you guys  
13 have needed it?

14 A. (No response.)

15 Q. So, would that have been Foreman Gonzalez or Foreman Carol?

16 A. That day? I'm not sure who had track (Indiscernible) on that  
17 day.

18 Q. Would you typically hear that request for foul time over they  
19 truck radio or the external speaker?

20 A. Yes.

21 Q. When you're working out there with the welding truck doing  
22 welds, cutting rail, packing the welds, banking, driving, et  
23 cetera, do the trains that come through your work area, do they  
24 slow down because you guys are there?

25 A. No. No. Not at all.

1 Q. Maximum authorized speed?

2 A. Maximum authorized speed.

3 Q. Roger.

4 MR. STEARN: I'll take a break right here. We'll go around  
5 the room again probably. Thank you, Kenny.

6 MR. HANNON: No problem.

7 MR. PAYAN: All right. You doing okay? Need a break or keep  
8 going.

9 MR. HANNON: Keep going.

10 MR. PAYAN: Okay. Mr. Fields.

11 MR. FIELDS: BLET no questions. Thank you though.

12 MR. PAYAN: Okay. Mr. Hoepf?

13 BY MR. HOEPF:

14 Q. Thank you for talking to us today, Kenny, appreciate it. So,  
15 I always kind of make this analogy, always seem to ask redundant  
16 questions, you know, but just to kind of make sure we cover our  
17 bases here. I guess we were kind of thinking that probably a lot  
18 of questions getting you kind of thinking that there was a  
19 watchman to the north of where you were standing but -- so we are  
20 kind of, you know, hearing that you were on your way up north but  
21 you weren't actually there is kind of new to us. So, we're just  
22 trying to kind of unpack that a little bit. I don't know if you  
23 recall I mean it's been, you know, a week here now, you know, at  
24 the job briefing was it -- was this sort rotation discussed, you  
25 know, it was going to be like you and Luke or was it like they say

1 just take Luke and then you would move kind of like worked it out,  
2 you know, relieve each other?

3 A. Me and him worked out with each other.

4 Q. Oh, okay. I got you. So, the foreman, you know, he just  
5 assigned Luke and then you know you guys got to swap out so that  
6 you can take a break?

7 A. Right.

8 Q. I'm sure vigilance task it was probably nice to have a break  
9 and mix things up. Okay. And so, then you go out there and  
10 you're sitting in the truck. What were you going to do? What was  
11 your like initial plan? Like what you were going to be, you know,  
12 starting the day off (Indiscernible)?

13 A. My initial plan?

14 Q. Yeah. Were you just resting?

15 A. My initial plan was to be on the truck, just to operate the  
16 truck.

17 Q. Okay.

18 A. I was asked to -- he was like -- I was asked to watch. So,  
19 when I seen Luke, I was like, yeah, Luke, me and you going to  
20 dance. Sure. I said, all right. I said, I got the truck.  
21 (Indiscernible).

22 Q. Okay. So, you would have been actually like driving the  
23 truck?

24 A. Yeah, if they needed me to drive the truck.

25 Q. If you needed you. Okay. But otherwise you were kind of

1 just --

2 A. I was assigned to the gang. I would have been helping those  
3 guys out and stuff.

4 Q. Oh, okay.

5 A. If they needed me to grab some stuff out of the truck.

6 Q. I got you. I got you. So, at that time I think you said you  
7 weren't sure, but you're not sure if there was another watchman up  
8 north of you guys?

9 A. Yeah. I couldn't honestly tell you.

10 Q. There might have been, might not have been.

11 A. Might have been, might not.

12 Q. Okay. Okay. I got you. I got you. And then so, I know  
13 this is kind of tough to talk about, but at the time of the  
14 accident you're walking north on 3-track side, did you see the  
15 MARC train coming, coming from the north heading south?

16 A. Sort of. It was going in the direction I was walking. It  
17 was a train, there was a train that was coming into the station on  
18 my side.

19 Q. Uh-huh.

20 A. But there was another one, that's when every -- all broke  
21 loose.

22 Q. So, the train that was heading south pulling into the station  
23 had already gone by you?

24 A. Yeah, it had already gone by me.

25 Q. Okay. Okay. I got you. So, you didn't see anything and then

1 did you see like any -- did you see an impact or anything like  
2 that?

3 A. No. I didn't see the impact but as I was walking I thought I  
4 seen something laying in the weeds. I didn't -- I thought it was  
5 a bird or something, you know.

6 Q. Uh-huh.

7 A. I heard everybody oh, my God, fuck, oh, my God. Looking back  
8 see everybody converging, going in that direction, I'm like what  
9 happened.

10 Q. I got you.

11 A. So, I seen everybody -- I seen my guys walking, running and  
12 walking.

13 Q. Uh-huh.

14 A. I was like, let me go see what's going on. And I walked  
15 across the tracks and saw him.

16 Q. I got you. I was just wondering, you know, kind of where you  
17 were at. So, that's behind you. That's south.

18 A. Yes.

19 Q. Over your shoulder. Okay. and so, you're going up north and  
20 there's some work being done then on like to your north and you're  
21 kind of anticipating watching in that area?

22 A. Yes.

23 Q. Okay. Do you know what they were doing?

24 A. I have no idea.

25 Q. Okay. Okay. So, that's what you were expecting --

1 A. Yeah, that's what I was expecting.

2 Q. -- Foreman Carol to say, hey, here's what we are doing,  
3 watch, you know, over here.

4 A. Here's what we are doing, blah, blah, blah.

5 Q. Okay. Okay. I got you. I just -- I'm kind of wondering  
6 about, you know, I've heard the term advance watchman, you know,  
7 is that a term?

8 A. Yeah.

9 Q. So, what -- can you give me an idea what that means?

10 A. Advance watchman he's ahead of the work group. He's the  
11 either northernmost or the southernmost watchman. He's the one on  
12 the ends. They are the ones who first pick up oncoming trains.

13 Q. Okay. Okay.

14 A. Hear the first --

15 Q. So, in these == let's say you're the northernmost advance  
16 watchman does that mean that you're supposed to, you know, look  
17 north more so than you're looking south?

18 A. You're supposed to look head on a swivel, back and forth.

19 Q. Okay. Okay. So, it just simply means that if you're the  
20 advance watchman you're the guy that's on the end?

21 A. On the end, yeah, basically.

22 Q. Okay. Okay. I got you. I got you. I'm just wondering so  
23 there's no -- I mean the only significance of that role being that  
24 you be expecting that person on the north end or the south end  
25 would be the first person to see that train and start the daisy



1 chain of warning people?

2 A. Uh-huh.

3 Q. Okay. Okay. I got you.

4 MR. HOEPF: You know, that's all I have for right now, but  
5 pass it back over to Ruben and do another quick second round.

6 MR. PAYAN: Okay. You doing okay?

7 MR. HANNON: Yeah.

8 BY MR. PAYAN:

9 Q. So, in the morning, Tuesday morning, the day of the accident  
10 when you got on the welding truck did that welding truck ever  
11 move? Did they change locations?

12 A. No. It stayed pretty much still. When I first got on it it  
13 didn't.

14 Q. So, when Luke went out there to provide watchman for the  
15 welding crew that's basically where he was at that morning?

16 A. Yeah. I believe that's where he stayed.

17 Q. Okay. Thank you.

18 MR. PAYAN: I'm going to go around the room one more time and  
19 then we'll wrap it up. FRA?

20 MR. TOMASSONE: Nothing more for FRA.

21 MR. PAYAN: Okay. Amtrak.

22 BY MS. LEESE:

23 Q. I do just have one or two more questions. So, the day that  
24 you guys were out there working do you recall -- I know your  
25 foreman, Foreman Gonzalez was in charge of your group and there

1 was an RWIC who had the whole block out.

2 A. Right.

3 Q. Do you recall if there was any other work groups, not your  
4 group, but you know any other groups like north kind of going up  
5 towards that curve area and they have been working separate from  
6 you guys or if it was just --

7 A. Yeah. There was another group, further down group.

8 Q. Okay. Okay. That -- so north, so not towards the platform  
9 but going --

10 A. We going in the opposite direction it was.

11 Q. Okay. And then when foreman Carol came or Foreman Wilson  
12 came to get your attention to go and be a watchman, did he say --  
13 did he specifically for what reason like were you going to be an  
14 advance or were you going to work with him?

15 A. No. He just said I need an additional watchman.

16 Q. Okay.

17 A. So, I said, yeah, (Indiscernible).

18 Q. Okay.

19 MS. LEESE: That's all I have, thank you.

20 MR. PAYAN: All right. Mr. Stearn.

21 BY MR. STEARN:

22 Q. Steve Stearn, Brotherhood of Maintenance of Way Employees.

23 Kenny, when you were in the truck or around the truck before  
24 Foreman Carol came to get you could, you already said and I'm  
25 confident, you could see Luke over on the one?

1 A. Yes. Yes.

2 Q. Outside the one. Could you see the next guy south towards  
3 the platform?

4 A. Yeah. Yeah, I believe.

5 Q. Could you see the next guy beyond him?

6 A. I don't know if I could. Wasn't looking for him.

7 Q. Were there locations identified any way by in a briefing or  
8 in conversations you had, hey, Kenny, by the way there's going to  
9 be other watchmen over there on one?

10 A. No. No one told me. They just said, I just need additional  
11 watchmen. Just grab some things.

12 Q. Before you, change up a little bit. Before you got your EWE  
13 on the welding truck what did you do then? What did you do before  
14 then?

15 A. Bus driver.

16 Q. Oh, really. For the cutter, for the undercutters?

17 A. No. For clipping gang.

18 Q. On TRS?

19 A. Yes.

20 Q. And before that?

21 A. Before that trackman.

22 Q. So, you --

23 A. Oh, no, I was a bus driver for quite a few gangs before prior  
24 to that.

25 Q. How long you been around, can I ask?

1 A. Almost four years.

2 Q. So, in that time you have done some watching before Tuesday?

3 A. Oh, yes.

4 Q. A good bit or just a little bit?

5 A. A good bit.

6 Q. You like it?

7 A. Yeah.

8 Q. Okay?

9 A. Uh-huh.

10 Q. You had training?

11 A. Yes.

12 Q. What kind of training do you get to be a watchman?

13 A. Classroom, you get RWP classroom training. I believe there's  
14 eight hours of being a mentor. You have to watch with another  
15 watchman. And then the next day is actually a period of a couple  
16 days and watch with another watchman and then they watch you and  
17 then they sign you off. Exactly how much time in between I  
18 forget. It's been a few years.

19 Q. So, you get watchman training, while you're getting RWP  
20 training?

21 A. Oh, no, you don't -- you get that I believe 90 days --

22 Q. Tyrone can't answer.

23 A. Oh, no, it's -- I know it's really strict. You couldn't  
24 watch the first three months of being out there. You have to have  
25 a certain amount of time on lock track before you can be watch,

1 before you can be a watchman.

2 Q. Okay. So, then you were talking about you have got to --  
3 you're watched, you're being watched watching?

4 A. Yeah. You have an experienced watchman watch you watch to  
5 make sure you're okay, if you're up to it.

6 Q. He is observing?

7 A. He is observing you, yes.

8 Q. Watch?

9 A. Yes.

10 Q. And that experienced watchman is like one of your co-workers,  
11 one of your peers?

12 A. Yes.

13 Q. And then what, he signs off on you or something, how does  
14 that work? What happens then?

15 A. You get a check I believe, a watchman check list to sign, he  
16 signs off on it, safety guy signs off on it, supervisor signs off  
17 on it.

18 Q. And then you're good to go?

19 A. Get a watchman's card and then you are good to go.

20 Q. So, you have got a watchman's license, basically?

21 A. Yeah, uh-huh.

22 Q. Do you have to like redo that periodically or you get it it's  
23 good for life?

24 A. Yearly with the RWP.

25 Q. Have to be watched again, be observed again is that the

1 process?

2 A. No. (Indiscernible).

3 Q. Do you think that's sufficient, is that good?

4 A. I think so.

5 Q. And, Kenny, it's been tough, I know, and thanks for coming  
6 in. We are not done yet, but I don't have any further questions.  
7 Thanks.

8 MR. PAYAN: All right. Mr. Fields?

9 MR. FIELDS: BLET has no questions, thank you.

10 MR. PAYAN: Mr. Hoepf?

11 MR. HOEPF: Thanks Rueben.

12 BY MR. HOEPF:

13 Q. Kind of wrap it up here, if you could, you know, just  
14 generally speaking, you know, the watchman role, do you have any  
15 suggestions for, you know, making things better out there? I mean  
16 are there any issues you see or, you know, any suggestions to  
17 maybe make things a little better?

18 A. Not at the moment. None that I can think of off the top of  
19 my head.

20 Q. Yeah, that's kind of tough when you're put on the spot.  
21 We'll you'll have our contact information.

22 MR. HOEPF: Ruben.

23 MR. PAYAN: That's it okay.

24 BY MR. PAYAN:

25 Q. I think we are getting ready to close out. You mentioned

1 when you went to the bus and you were going to go look for Mr.  
2 Carol, you were on the side where the bus was parked.

3 A. Yeah.

4 Q. When a southbound MARC train that was going to make the  
5 station stop came in, do you recall seeing it first or did you  
6 hear the watchman lookout air horns and that alerted you?

7 A. Airhorns first.

8 Q. You were alerted by the watchman?

9 A. I mean I could see it because it was coming towards me, but  
10 the airhorns went off.

11 Q. Okay. And do you know if that was Mr. Luke or equipment?

12 A. I don't know.

13 Q. You don't know. You just remember being warned about it?

14 A. (Non-verbal response.)

15 MR. PAYAN: I think that's all the questions. I'm going to  
16 open it up. Does anyone have any follow-up questions?

17 MR. HOEPF: Actually, while you mentioned that, yeah.

18 BY MR. HOEPF:

19 Q. Is there anything at all -- sorry, this is Mike Hoepf NTSB.  
20 Anything else you can tell us about Luke that morning?

21 A. No.

22 Q. Did you notice where he was standing or anything like that?

23 A. No.

24 Q. Okay.

25 A. I don't remember just where he was standing.

1 MR. HOEPF: Okay. Sorry. No further, you can go ahead.

2 BY MR. PAYAN: Okay.

3 Q. Okay. For the record, can you state your full name and spell  
4 your last name please?

5 A. Kenneth Hannon, H-a-n-n-o-n.

6 Q. Okay. And can you state your current employer and your  
7 current position?

8 A. Employer's Amtrak and may current position is EWE operator.

9 Q. Okay. Very good. Now, can you give us a brief history of  
10 when you got hired on with the railroad and the different  
11 positions you have held?

12 A. Got hired July 28th, 2014. I've held the position of  
13 trackman, bus driver and EWE operator.

14 Q. Okay. And for your current position please list what  
15 certifications you're required to hold and if you're up to date on  
16 them.

17 A. Yes, it's CDL, High rail, CDL, high rail and I'm up to date  
18 on RWP, NORAC. Wait, CDL, RWP, NORAC, yeah, and I'm up to date on  
19 all of them.

20 MR. PAYAN: Okay. All right. Very good. Any closing  
21 comments or anything?

22 (No response.)

23 MR. PAYAN: Well, that's it. I'm going to give you my  
24 contact information and if when you remember something that might  
25 help us please give me a call. And like I said, we are going to



1 get this transcribe and get it to you and you can make sure we  
2 transcribed it correctly. Okay.

3 It is 11:37 and we are off the record.

4 (Whereupon, at 11:37 a.m., the interview was concluded.)  
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF:           AMTRAK WORKER FATALITY  
                                  BOWIE, MARYLAND  
                                  APRIL 24, 2018  
                                  Interview of

ACCIDENT NO.:               RRD18FR006

PLACE:                       Linthicum, Maryland

DATE:                        May 1, 2018

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

---

Letha J. Wheeler  
Transcriber